

TECHNICAL ASSISTANCE ON VETERANS, ACTIVE MILITARY, AND NATIONAL DISASTER RESPONSE PERSONNEL

Prepared by the Division of Human Resources in the Department of Personnel & Administration. Revised July 2003.

RESIDENCY FOR APPLICATIONS BY ACTIVE MILITARY

Colorado Constitution requires applicants for jobs in the state personnel system to be state residents. Active members of the military who are not currently living in Colorado may be interested in applying for state jobs, but there are restrictions because of the state residency requirement. Currently, only individuals in the military who are currently declaring Colorado as their state of residence on Form DD 2058, *State of Legal Residence Certificate*, are considered to be Colorado residents and are permitted to apply for open competitive job openings in the state personnel system.

AUTHORIZATION FOR VETERAN'S PREFERENCE

Congress authorizes the wars, periods of war, and campaigns for which veterans are given preference. It authorizes two types of preference: universal awarding of preference, or specific awarding of preference.

Congress has authorized all declared wars (World Wars I and II) and periods of war (Korean and Vietnam conflicts) as universal awarding of preference. The universal awarding of preference for these wars and periods of war means that Congress awarded veteran's preference for all active duty service of at least 180 days beginning December 7, 1941, through October 15, 1976. This means that veterans had only to serve on active duty anywhere during this specific time frame to earn preference. Veterans serving during these specific time periods did not have to receive a campaign badge or service medal to be awarded veteran's preference. Congress authorized additional universal awarding of preference under the Defense Authorization Act of Fiscal Year 1998 (Public Law 105-85) of November 18, 1997, which contained provisions that award veteran's preference to anyone who served on active duty during the period beginning August 2, 1990, and ending January 2, 1992 as long as they separated under honorable conditions and served continuously for a minimum of 24 months or the full period for which called or ordered to active duty. This universal awarding of preference does not include service as members of the National Guard or Reserves unless the member served on active duty, other than for training purposes, in support of the wars or periods of war authorized by Congress.

Specific awarding of preference requires veterans to have served on active duty in a campaign or expedition for which a campaign medal has been authorized by the Department of Defense. Therefore, to receive preference points for service outside the above universal service periods, a veteran had to actually receive the specific campaign medal or expeditionary medal for the period in question.

Veteran's preference in selection and reduction in work force is authorized by the Colorado Constitution (Article XII, Section 15). This section provides for preference in both selection (Sec.

15(1)(a-e) and in reduction (Sec. 15(3)(a-b) of the workforce. Section 15(6) of the article states that “no person is entitled to the addition of points under this section for more than one appointment or employment with the same jurisdiction, personnel system, civil service, or merit system.” Personnel Board Rules and technical assistance on separation also provide information concerning preference provided veterans when there is a reduction in workforce.

PREFERENCE IN SELECTION

Colorado Constitution contains information regarding the application of veteran's points; however, federal law has changed more recently. The more recent information is as follows.

- Qualified non-disabled veterans may have 5 points added to their final scores with 10 points added for disabled veterans.
- Un-remarried widow(ers) of veterans qualified for preference may have 5 points added to their final scores under the state's constitution.
- Points are only awarded for veterans receiving a discharge under honorable conditions.
- Only applicants who have never used their points are eligible to receive points.
- Current employees who were eligible for veterans preference at time of initial hire are deemed to have used their preference points at time of initial hire whether they actually did or not.
- Based on the above, current employees are not eligible to receive points unless they become eligible after initial employment and then they are only eligible to receive preference on open competitive exams. *(An example would be an employee who was not eligible when initially employed but who received the Southwest Asia Service Medal for service during Operation Desert Storm. This person could apply 5 points on open competitive exams only.)*
- Veteran's preference in selection does not apply to promotional positions, reassignment, change to a lower grade, transfer, or reinstatement.
- Proof of eligibility must be provided before points are allowed. *(For veterans this means at least a DD214 or comparable document showing dates of service, type of discharge and, if appropriate, a campaign badge or service medal. If the DD214 does not show the campaign badge or service medal, the veteran must provide other documents showing that she or he received this award. Disabled veterans would also have to provide proof of disability. This would be a letter from the Veteran's Administration verifying that the veteran is currently receiving monetary benefits or has a disability retirement. For widow/ers this would also require the submittal of marriage and death certificates).*
- Disabled veterans are eligible for 10 points regardless of the dates of service provided that they meet the eligibility requirements listed above.

Scoring & Referral

- Veteran's preference points are added to the final converted passing examination scores. Points are not added after individual tests, nor are they added to tests to allow candidates to score above a cutoff score to continue in the exam process. They are only added to the final converted passing exam score.
- Veteran's preference points may be added at any time after an examination has been scored. The addition of these points will change the individual veteran's score and may alter the ranking on the eligible list. However, the addition of preference points and subsequent revision of the eligible list shall not affect referrals or appointments already made on a list.

Additional Information

If an applicant has both an honorable and a dishonorable discharge, use the most recent discharge to determine eligibility for preference points.

No minimum service is required for veterans with compensable service-connected disabilities or for those discharged for disabilities incurred in the line of duty.

The Attorney General's Office has advised that a veteran who is already a state employee is not eligible to receive preference points for a disability designation that is awarded after the veteran is appointed to a state position.

The U.S. Office of Personnel Management maintains a web site with updated information on veteran's preference, including service dates. Most of this web site pertains to the selection and hiring processes for Federal Government positions and does not apply for purposes of veterans' preference in the state. However, Appendix A of the *VetGuide* on the web site provides service dates and lists of campaigns that are used in awarding veterans' preference eligibility within the state personnel system. The link for Appendix A of the *VetGuide* is:

<http://www.opm.gov/veterans/html/vgmedal2.htm>

The U.S. Department of Labor's website also assists in determining eligibility for veteran's preference in hiring. The link is: <http://www.dol.gov/elaws/vets/vetpref/choice.htm>

MILITARY LEAVE

Upon submission of proper evidence documenting the call to report to duty, state employees (probationary or certified) must be given military leave. Proper documentation may include official set of orders from the branch of service or orders from the organization or unit to which the employee is assigned. Military leave begins on the date and hour published in the orders.

Personnel Director's Administrative Procedures provide for paid leave of up to 15 working days (120 hours) within a calendar year (January 1st through December 31st) for military service whether for training or active duty. An employee who has not yet taken the full 15 days of military training leave must first be placed on military leave with pay until the 15 days are exhausted, next be scheduled to use any earned compensation time, the employee can then elect to use available annual leave before being placed on unpaid military leave. (*Note: for the temporary make-whole policy, see the section below.*) The employee is not required to turn over military pay in order to receive compensation from the state for paid leave.

Key Issues Regarding Leave and Return to Work

Although federal law sets specific time periods for veterans to return to work, the state law allows for the return to employment within one year of the period of initial service, plus any additional service imposed by law. This right is available whether the military service is voluntary or involuntary. Because the state constitution is more generous than federal law, it is applied in all circumstances.

If the employee's absence is 89 calendar days or less, the employee is entitled to return to their former position within the agency in which the employee was previously employed. The employee should contact the agency prior to return. Agencies should establish and communicate who the point of contact will be, e.g., HR office or appointing authority.

If the absence is 90 calendar days or more, the employee returning from active duty is entitled to return to a position within the agency in the same or comparable class in which the employee was previously employed. The employee must submit a written application to return.

Any absence due to military duty is not to be considered a break in service although the employee would not be entitled to accrue sick or annual leave while on unpaid military leave. Also, the anniversary date will not be adjusted. Additionally, PERA will credit the employee for the *unpaid* time period up to five years.

Under federal law, reserve and National Guard troops are entitled to have their active military duty counted as time worked to establish eligibility for Family/Medical Leave. To qualify, the employee must be absent from work because of service in the uniformed services including duty, training, or examination for fitness.

Frequently Asked Questions

Q1. Does an employee return to state service in probationary status if the employee was probationary when called to active duty?

A1. A probationary employee returns to state service in probationary status and is entitled to complete whatever portion of the period that remains. For example, a returning employee would have four months of the probationary period remaining if the employee had completed eight months of probationary service prior to entering active duty. This would also be true for a trial service period.

An employee who is certified when entering active duty remains certified upon returning to state service.

All returning employees receive credit for the period of military service for seniority purposes, within the limits prescribed by law.

Q2. Does an employee earn annual and sick leave while on unpaid military leave?

A2. An employee does not earn annual and sick leave while on unpaid military leave. However, the employee receives credit for time spent in the military for purposes of movement to the next higher annual leave earning rate. In addition, all unused sick and annual leave that the employee had at the time of entering military service is restored, if not used during the absence.

Q3. Can an employee elect to use accrued annual leave before being placed on unpaid military leave? May an appointing authority require the use of accrued compensatory time?

A3. Yes. The employee is entitled to be granted accrued annual leave if the employee wishes to use this leave before being placed on unpaid military leave. Note that lump sum payments for annual leave are not allowed because military leave is not a termination. In addition, the FLSA allows appointing authorities to schedule the use of compensatory time. Otherwise, payment will be required in accordance with Chapter 3 of the Director's Administrative Procedures.

Q4. Can an employee continue the state's group health insurance benefits while on unpaid military leave?

A4. Employees who enter military service automatically receive military health benefits and can enroll their dependents in TRICARE coverage with the U.S. Department of Defense.

The employee on unpaid military leave can also elect to continue group health insurance benefits by paying the entire premium amount - both employee and employer portions.

Upon return to employment with the state, the employee is immediately eligible to enroll in the state's health insurance program even if the return from military service does not coincide with the open-enrollment period.

Q5. Can an employee use one day per month of annual leave while serving in the armed forces to trigger the state's contribution to health insurance?

A5. Yes. The employee can use one or more days per month of annual leave while on military leave to pay the employee's portion of the premium and trigger the state's contribution to health insurance. Appointing authorities control the scheduling of such leave and agencies are encouraged to adopt a consistent practice. For example, the agency may schedule the day of annual leave for the first working day of a month because premium payments are due the first of the month. PERA and taxes, including applicable Medicare percentages, will be deducted also.

Q6. Can an employee's position be abolished while the employee is on active duty? Can an employee be bumped as part of the layoff process?

A6. Please contact the Division of Human Resources Division of the Department of Personnel and Administration if you encounter a layoff situation that will impact an employee on active duty.

Q7. Does military service count as state service for promotional examination purposes? For example, does a General Professional IV who is serving in the military as a Cook have the military

service counted as professional service for a General Professional V position?

A7. No. Military service does not count as state service for promotional examination purposes if the military service does not directly relate to the position for which the person is applying.

Q8. Is an employee who voluntarily enlists in the National Guard granted military leave for the entire period of active duty even though the service is for training?

A8. Yes. Enlistment in the National Guard falls within the military leave provisions. The enlistment may be voluntary and simply for training. Because the military leave provisions do apply to this situation, an employee who voluntarily enlists receives full credit for the enlistment in determining increased earning of annual leave and other service benefits. There is no adjustment for unpaid military leave in computing years of service.

The Public Employees' Retirement Association (PERA) has a bulletin that explains military leave provisions for PERA members. A copy of this bulletin may be obtained by contacting PERA.

Q9. Are we required to grant an employee's request to work part time while on leave for active military duty?

A9. An employer is not required to create alternative work arrangements. The agency should contact the military unit to verify if outside employment (e.g., working for the state) is allowed while on active duty and obtain a written statement regarding their policy. It is not uncommon for the military to prohibit other employment for reasons such as divided loyalties. If the agency has part-time positions and the military unit allows outside employment, active duty cannot be used as a negative factor in filling the positions. Finally, the agency should apply its own policy regarding outside employment from state jobs.

Temporary Revised Policy for State Employees Called to Active Duty

On December 11, 2001, the state personnel director temporarily extended administrative leave and annual leave-sharing programs to employees called to active duty following the September 11 terrorist attacks. The intent is to allow temporary relief for those called to serve while they get their financial affairs in order. The policy applies to those state employees who are called to military active duty in support of military operations designated by the President in the war against terrorism or other military operations. It does not apply to regular obligations such as training or annual encampment.

The state personnel system gives appointing authorities the discretion to grant administrative leave to state employees for reasons determined to be for the good of the State. Department heads and presidents of colleges and universities are asked to grant administrative leave to state employees called to active military service. The purpose of this administrative leave is to make the salaries of these employees "whole" for a period of 90 calendar days following the exhaustion of their military paid leave to help relieve some of the financial hardship.

Like the current policy for workers' compensation, administrative leave is granted to make up the

difference between the employee's military gross pay and the current state gross salary, excluding any pay differentials, for a period not to exceed 90 calendar days. The employee must furnish proof of military gross pay in order to receive this administrative leave. *(Note: administrative leave is not granted for workers' compensation. This portion of the policy is simply saying that "make whole" itself works the same, e.g., the difference in salary between military pay and state base salary.)*

This administrative leave begins upon exhaustion of the balance of the 15 days of paid military leave for which an employee is eligible, and is retroactive to the date when the employee received orders following September 11, 2001, including orders in support of related operational campaigns. After exhaustion of this administrative leave, the employee can still elect to use accrued annual leave and compensatory time. Agencies will be expected to comply with the reporting requirements of Director's Administrative Procedure P-5-21 (A).

The State Personnel Director authorizes and encourages cabinet officers and presidents of colleges and universities to expand their current annual leave-sharing programs to include the donation of annual leave for employees on active military service who face serious financial hardship. This additional leave may only be used after exhaustion of military leave, administrative leave, and any annual leave and compensatory time. Donation of annual leave for military service may only be done within each department or institution of higher education. The Department will provide guidance to agencies for determining hardship cases. The State Personnel Director emphasizes that this policy is temporary and may be terminated at any time.

Additional Guidance on the Temporary Expansion of Leave Sharing and Determining Serious Financial Hardship

An agency is authorized to expand its leave-sharing program to include employees on active military duty who are experiencing a financial hardship. Leave sharing is not an entitlement - whether to offer the option and the approval of applications is at the sole discretion of a department head or university/college president. No appeals or grievances are permitted.

Unlike leave sharing for catastrophic illness, donated leave for the purposes of military service cannot be transferred between agencies or institutions of higher education and is on a "make whole" basis following the exhaustion of military, administrative, and any annual leave and compensatory time. The agency may also want to consider other adjustments such as tracking the donated leave for military service separately from the regular donated leave, establishing the maximum amount of leave that will be granted for military service.

Hardship cases will vary greatly between different employees so each case should be evaluated on its individual merit; however, agencies are encouraged to develop some guidelines or criteria for the review of applications. The following items may be helpful in reviewing applications for donated annual leave.

- The total amount of gross military pay and allowances received by the employee is significantly less than the previous gross state base salary, excluding any temporary pay differentials.
- The impact on the total family income from all sources, especially for basic living necessities

and the number of dependents. For example, can the family income be supplemented or expenses reduced temporarily?

- Extraordinary family expenses due to the absence of the military family member. For example, are there any extraordinary medical needs or any additional day care expenses due to the absence?
- Any financial constraints caused by something other than the call to active duty.
- Available support (e.g., money, housing, transportation, food, day care, etc.) from extended family members such as parents, grandparents, or other relatives.
- Any recent family status changes such as marriage, divorce, addition of immediate family members, or deaths that have aggravated the hardship situation.
- Accessibility to military benefits such as use of commissary and base exchange privileges, availability of uniformed services health care facilities, or the use of TRICARE medical programs for dependents (additional information at <http://www.tricare.osd.mil>).

While it may be difficult to discuss these topics and make decisions about families in stressful situations, perhaps even more so with the absence of a family wage earner, the goal is to balance sensitivity to the employee's family needs and the limited resources an agency may have.

Questions and Answers on the Temporary Revised Policy

Q1. Can an employee have more than one period of military leave?

A1. Because the 15 days of military leave is granted on a calendar year basis, it is possible to have more than one block of military depending on the length of service. For example, assume the employee was called to active duty on September 12 for one year and has five days of military leave remaining for 2001. On January 1, 2002, the employee would again be placed on military leave for 15 working days.

Q2. How does the administrative leave work in conjunction with military leave, especially if it falls into a new calendar year?

A2. The employee only receives one period of administrative leave for up to 90 calendar days following the initial call up. Here is a sample timeline for an employee called to active duty for one year on September 12. Assume no military training leave was used in 2001 prior to September 12.

| 11/12/01 - call up | 12/2/01 | 1/1/02 | 1/22/02 |
|--|---|--|---|
| Military Leave 15 <i>working</i> days | Administrative Leave 30 <i>calendar</i> days | Military Leave 15 <i>working</i> days | Administrative Leave 60 <i>calendar</i> days |

Q3. Does the administrative leave apply to those who are fulfilling their normal obligation, e.g., annual encampment or call up for other emergencies?

A3. No. Only those called to active duty in support of military operations designated by the President in the war against terrorism or other military operations are eligible for the administrative leave. Because this service is beyond the regular expected obligations, the temporary leave is being provided to help state employees and their families adjust their financial affairs.

Q4. What is the purpose of temporary leave sharing for military active duty?

A4. Some employees called to active duty may experience economic hardship while adjusting financially to their initial call-up. Temporary leave sharing for military active duty gives state employees in an agency the opportunity to voluntarily donate accrued annual leave and help provide a “make whole” situation for co-workers whose gross military pay is less than the employee's current gross base pay.

Q4. How will leave sharing for military active duty work?

A4. Each agency can temporarily extend its existing leave-sharing program (or create one) for its employees called to active military duty since September 11. In addition to the state personnel director’s new policy, agencies should use their existing leave-sharing programs for guidance. The Department of Personnel and Administration’s leave-sharing technical assistance is also available on the DHR website at www.colorado.gov/dpa/dhr.

Q5. What are the significant features of a military leave-sharing program?

A5. This is a "make whole" program to assist employees called to active duty whose military pay is less than the their current gross base pay, excluding any pay premiums or differentials. Additional features include the following.

- This program is NOT an entitlement - whether it is offered is discretionary with the department head. The approval of individual applications is also the sole discretion of the department head and declined applications are not a determination that the personal situation is not an emergency or hardship. No appeals or grievances are permitted. Lack of donated annual leave by employees may suspend or restrict the program.
- Leave may NOT be transferred between departments or institutions.
- Employees applying must be permanent and have at least one year of state service credit.
- Applicants must have exhausted all applicable paid leave, i.e., military training, annual, administrative, and unused compensatory time.
- Each application will be evaluated on a case-by-case basis.
- If an employee is unable to make an application, an adult family member or other responsible party may make the application on his/her behalf.

Q6. Can state employees outside the state personnel system participate in the temporary military leave-sharing program?

A6. If the agency’s leave-sharing program includes other types of employees, it may be expanded to include other types of employees, e.g., faculty or administrative professional employees.

Q7. What is the authority for establishing such a program?

A7. Per statute, the state personnel director has the authority to establish appropriate leave programs for employees in the state personnel system.

Q8. What are the tax consequences of leave sharing?

A8. The recipient would be taxed on these amounts as normal earnings; the same way it is handled under all other paid leave arrangements.

LEAVE FOR INTERMITTENT DISASTER RESPONSE PERSONNEL

The US Congress passed the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 to coordinate preparedness for and response to bioterrorism and other public health emergencies. The act was signed into law on June 12, 2002. Under the act, the National Disaster Medical System (NDMS) may be activated by the Secretary of the Department of Health and Human Services to provide health services, health-related social services, other appropriate human services, and auxiliary services to respond to the needs of victims of a public health emergency or to be present at locations determined to be at risk for a public health emergency. Auxiliary services include mortuary services, veterinary services, and others determined by the Secretary.

The Act also expands the definition of “uniform service members” under Uniformed Services Employment and Reemployment Act (USERRA) to include official intermittent disaster-response members of the NDMS. Individuals appointed to NDMS positions to provide services or participate in response training under the NDMS have the same employment and reemployment benefits provided to uniformed personnel and have the same employment protection as other members of the “uniformed services” (e.g. National Guard and Reserves). State employees who provide documentation supporting their appointment to NDMS positions and who are activated when the Secretary activates the NDMS must be given leave. Because of the nature of NDMS emergencies, notice of activation may be short or immediate and may be verbal or written. Agencies are encouraged to plan ahead by identifying employees who are part of the uniformed services and obtaining documentation of their affiliation up front.

NDMS employees are not eligible for veteran’s preference in the selection and layoff processes. The Director’s Procedures on military and military training leave do not apply because the service is not military service as defined by state statutes. Employees should be scheduled to use any earned compensatory time first, and may elect to use available annual leave before being placed on leave-without-pay. Leave for NDMS service is one of the situations contemplated under P-5-2 where employees are not required to use paid leave before using unpaid leave however, employees are not entitled to accrue sick or annual leave while on unpaid leave. Like absences due to military duty, these absences are not considered a break in service.

Emergency response personnel under NDMS are entitled to return to employment upon completion of their assignment. Federal law sets specific time periods for return to work. In absences of 89 calendar days or less, the employee is entitled to return to their former position in the agency where previously employed. If the absence is 90 calendar days or more, the employee returning from service is entitled to return to a position within the agency in the same or comparable class in which previously employed. The employee should contact the agency prior to return. Agencies should establish and communicate who the point of contact will be, e.g., HR office or appointing authority.

PREFERENCE IN LAYOFF

Chapter 7 of the Personnel Board Rules provides the reference for veteran's preference in layoff. The technical assistance on separation (layoff) provides additional clarification of these rules. The veteran must first qualify for preference in the selection process or have earned preference after their initial hire date to qualify for preference in the layoff process. When a reduction in the state workforce becomes necessary, employees who are eligible for veteran's preference shall not be separated from employment before employees not eligible for veteran's preference within the same time band. Employees eligible for veteran's preference, except veteran's with 20 or more years of military service, may receive service credit for retention purposes on a year-for-year basis for up to ten years of military service. The same applies to un-remarried widow(ers) of veterans. Veterans with 20 or more years' military service are not eligible to receive credit for this service for retention purposes.

Every attempt is made to keep this technical assistance updated. For more detailed information, refer to the Personnel Board Rules and Director's Administrative Procedures or contact your agency human resources office. Subsequent revisions to rule or law could cause conflicts in this information. In such a situation, the laws and rules are the official source upon which to base a ruling or interpretation. This document is a guide, not a contract or legal advice.

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| VETERANS' PREFERENCE AWARDED | IF THE PERSON CLAIMING PREFERENCE IS | AND THE PERSON | AND THE PERSON | AND THE PERSON |
|------------------------------|--|---|---|----------------|
| 5-Points | <u>Prior Active Service</u> A former member of the Armed Forces who was separated with an honorable discharge or under honorable conditions and who <i>is not disabled</i> . | Served on active duty during WWI (4/6/17 to 7/2/21) or WWII (12/7/41 to 4/28/52). OR Served on active duty during the period from 4/28/52 through 7/1/55. OR Served on active duty for more than 180 consecutive days, other than for training purposes, any part of which occurred after 1/31/55 and before 10/15/76. OR Served on active duty in campaign or expedition for which a campaign badge has been authorized. (Note 3) | | |
| 5-Points | A former member of the Armed Forces who was separated with an honorable discharge or under honorable conditions and who <i>is not disabled</i> . | Served on active duty → during the period that began after 10/15/76 and before 9/8/80. Served on active duty → during the period from 8/2/90 to 1/2/92. | Served in a campaign or expedition for which a campaign badge has been authorized. (Note 3) Completed 24 months of continuous service or the full period of service for which called to active duty. | |

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| VETERANS' PREFERENCE AWARDED | IF THE PERSON CLAIMING PREFERENCE IS | AND THE PERSON | AND THE PERSON | AND THE PERSON |
|------------------------------|--|--|---|---|
| 5 Points | A former member of the Armed Forces who was separated with an honorable discharge or under honorable conditions and who <i>is not disabled</i> | Enlisted in the Armed Forces after 9/7/80 or entered on active duty through means other than enlistment after 10/14/82. → | Served in a campaign or expedition for which a campaign badge has been authorized. (Note 3) → | Completed 24 months of continuous service or the full period for which called to active duty. OR Was discharged early under 10 U.S.C. 1171 or for hardship under 10 U.S.C. 1173. |
| 5 Points | <u>National Guard/Reserves</u> A former or current member of the Army National Guard, Air National Guard, or Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve who served on active duty, other than for training purposes, and who was separated with an honorable discharge or under honorable conditions or who is still serving under honorable conditions and who is <i>not disabled</i> | Served in a campaign or expedition for which a campaign badge has been authorized. (Note 3) OR Served on active duty for more than 180 consecutive days, other than for training purposes, any part of which occurred after 1/31/55 and before 10/15/76. OR Served on active duty → during the period from 8/2/90 to 1/2/92. | | Completed 24 months of continuous service or the full period for which called to active duty. |

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| VETERANS' PREFERENCE AWARDED | IF THE PERSON CLAIMING PREFERENCE IS | AND THE PERSON | AND THE PERSON | AND THE PERSON |
|---|--|--|----------------|----------------|
| 10-Points | <u>Disabled Veteran</u> A former member of the Armed Forces who was separated with an honorable discharge or under honorable conditions. | Was Awarded the Purple Heart. OR Is receiving compensation, disability retirement benefits or pension from the Department of Veterans Affairs or the Armed Forces. OR Has established a service-connected disability. | | |
| 5-Points (Authorized by Section 15(1)(d) of Article XII of the State of Colorado Constitution) | <u>Widow(er)s</u> The un-remarried widow or widower of a former service member. | Is the widow(er) of a former service member who was separated under honorable conditions and who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. OR Is the widow(er) of a former service member who served on active duty for more than 180 consecutive days, other than for training, any part of which occurred after 1/31/55 and before 10/15/76. OR | | |

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| VETERANS' PREFERENCE AWARDED | IF THE PERSON CLAIMING PREFERENCE IS | AND THE PERSON | AND THE PERSON | AND THE PERSON |
|--|---|---|---|----------------|
| | | <p>Is the widow(er) of a former service member who served on active duty, other than for training purposes, during the period from 8/2/90 to 1/2/92.</p> <p>OR</p> <p>Is the widow(er) of a former service member who was separated under honorable conditions with a service-connected disability.</p> <p>OR</p> | <p>Is the widow(er) of a service member completed 24 months of continuous service or the full period for which called to active duty.</p> | |
| <p>5-Points</p> <p>(Authorized by Section 15(1)(d) of Article XII of the State of Colorado Constitution)</p> | <p><u>Widow(er)s</u></p> <p>The un-remarried widow(er) of a former service member.</p> | <p>Is the widow(er) of a former service member who died during such service or who died as a result of a service-connected cause while on active duty.</p> | | |

Note 1: Note: The chart above provides HR professionals in the State of Colorado with necessary information to determine the preference status for the majority of persons who may request veterans' preference in selection and hiring. Eligibility for veterans' preference should be verified by the agency through appropriate official documents.

Note 2: For a listing of wars, campaigns, and expeditions of the Armed Forces which qualify for veterans preference, go the following web site: <http://www.opm.gov/veterans/html/vgmedal2.htm>.

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Note 3: Definitions for the terms veteran and disabled veteran are taken from Section 2108 of Title 5 of the US Code.

Should you have questions that are not covered by this chart, please contact Workforce and Staffing Consultants in the Division of Human Resources at (303) 866-4227.

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